

Prayer by the Chaplain, Rev. F. S. Jackson, as follows:

Almighty God: Help us to pray. The many pressing interests, the cares of life and the deceitfulness of all things occupy our minds mostly, and we are prone to forget Thee and neglect our souls. May we remember that character and will survive the perils of time and outlive the stars, and when once scarred will be scarred forever. Oh, may all our thoughts, words and actions be influenced by these truths. We pray Thy kindest blessings upon all who are suffering from calamity. Comfort and heal the wounded and bleeding heart, give relief to the suffering body, and restore through Thy providence the ruined homes and depleted property of the unfortunate. Bless us to-day, we ask for Christ's sake. Amen.

On motion of Senator Wayland, the Sergeant-at-Arms was instructed to wire the absent unexcused Senators to return for to-morrow's session.

Senator Gough moved that the Senate adjourn to 10 a. m. to-morrow.

Senator Yantis moved that the Senate adjourn to 3 p. m. to-day.

The Senate adjourned to 10 a. m. to-morrow.

EIGHTY-FOURTH DAY.

Senate Chamber,
Austin, Tex., Friday, April 30.

The Senate met pursuant to adjournment.

Lieutenant Governor Jester in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	Morriss.
Bailey.	Neal.
Boren.	Presler.
Bowser.	Rogers.
Burns.	Ross.
Colquitt.	Stone.
Dibrell.	Terrell.
Goss.	Tillett.
Gough.	Turney.
Harrison.	Wayland.
Kerr.	Woods.
Lewis.	Yantis.
Linn of Victoria.	Yett.

Absent.

Beall.	Greer.
Darwin.	Stafford.

Excused.

Linn of Wharton.

Prayer by the Chaplain, Rev. F. S. Jackson, as follows:

Almighty God: We thank Thee for the night, with its quietude, beds of rest, and refreshing sleep. We thank Thee for this beautiful day with its sunshine and bracing atmosphere. Qualify us for all our duties and temptations to-day. Give us the grace of patience, the warmth of love, and the strength of faith, that we may with fidelity and heroism meet every obligation we have assumed. Do Thou forgive our sins, cleanse our thoughts, and make keen and sensitive our consciences. Let Thy fatherly protection and benedictions be upon our homes. We pray for Christ's sake. Amen.

Pending reading of the Journal of yesterday,

On motion of Senator Neal, the same was dispensed with.

On motion of Senator Harrison,

Senator Darwin was excused for absence on yesterday and up to and including next Monday, on account of sickness in his family.

On motion of Senator Wayland,

Senator Colquitt was excused for Tuesday, Wednesday and Thursday, on account of business.

On motion of Senator Woods,

Senator Terrell was excused for Tuesday and Wednesday, on account of important business.

On motion of Senator Burns,

Senator Morriss was excused for Wednesday and Thursday, on account of important business.

On motion of Senator Morriss,

Senator Kerr was excused for Wednesday and Thursday, on account of important business.

On motion of Senator Ross,

Senator Atlee was excused for absence on Tuesday, on account of important business.

On motion of Senator Ross,

Senator Bowser was excused for absence on Wednesday and Thursday, on account of important business.

On motion of Senator Tillett,

Senator Stone was excused for absence on Wednesday and Thursday, on account of important business.

On motion of Senator Linn of Victoria, all absentees on Wednesday and Thursday and to-day were excused.

On motion of Senator Neal,

Senator Stafford was excused for absence last week and this week, on account of important business.

PETITIONS AND MEMORIALS.

By Senator Presler:

Memorial of the Erath County Grange, asking for the passage of the Senate text-book bill.

Read and referred to the Committee on Education.

By Senator Yett:

Petition from citizens of Williamson county, asking for an appropriation of \$20,000 for Summer Normal schools.

Read and referred to Committee on Finance.

By Senator Linn of Victoria:

Protest of citizens of Frio county, against the judicial redistricting bill, so as to change the terms of holding court or of the removal of officers therein.

Read and referred to Committee on Judicial Districts.

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, April 30, 1897.

To the Hon. Geo. T. Jester, President of the Senate, and Hon. L. T. Dashiell, Speaker of the House of Representatives:

We, your free conference committee on

House bill No. 180, a bill to be entitled "An act to amend article 5043 of the Revised Statutes of 1895, so as to exempt Maverick county from the provisions of title CII, chapter 6, relating to the inspection of hides and animals."

Have had the same under consideration, with House and Senate amendments, and beg to report back as follows:

First. We recommend that House engrossed rider, which reads "Amend by exempting Concho and Titus counties," hereafter read "Amend by exempting Titus county."

Second. We recommend that Senate amendment, which reads "Amend by adding after the word 'Menard' the words 'Runnels, Uvalde and Zavala,'" be amended so as to hereafter read: "Amend by adding after the word 'Menard' the words 'Uvalde and Zavala.'"

Third. We recommend that all other House and Senate amendments be adhered to and adopted.

Respectfully submitted.

PRESLER,
TURNER,
GOSS,
HARRISON,
TERRELL,
MELTON,
WELCH,
CROWLEY,
LILLARD,

On the part of the Senate.

On the part of the House.

Committee Room,

Austin, Texas April 30, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 363, a bill to be entitled "An act to authorize the Texas Central Railroad Company to purchase own and operate the railroad extending from the town of Bremond, in Robertson county, to the town of Ross, in McLennan county, commonly known as the Waco and Northwestern division of the Houston and Texas Central Railway Company, with its appurtenances, or any part thereof, and to authorize a corresponding increase in the authorized aggregate of the bonds and stocks of said Texas Central Railway Company,"

And find the same correctly engrossed.

GOUGH, Chairman.

Committee Room,

Austin, Texas, April 29, 1897.

Hon. George T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 267, a bill to be entitled "An act to amend article 1706 of the Revised Statutes of the State of Texas, relating to the place of holding elections in cities and towns."

And find the same correctly engrossed.

GOUGH, Chairman.

Call concluded.

HOUSE MESSAGES.

The following House messages were received:

Hall House of Representatives,
Austin, Texas April 30, 1897.

Hon. George T. Jester, President of the Senate.

I am directed by the House to inform the Senate that the report of the free conference committee on House bill No. 180 has been adopted.

Respectfully.

LEE J. ROUNTREE, Chief Clerk.

Hall House of Representatives,
Austin, Texas April 30, 1897.

Hon. George T. Jester, President of the Senate.

I am directed by the House to inform the Senate of the passage of the following bills:

Senate bill No. 354, a bill to be entitled "An act to validate the incorpora-

tion, and to declare valid the acts, of towns and villages heretofore regularly incorporated for free school purposes having within their limits towns incorporated for municipal purposes, which latter had ceased to exercise their functions as such, and to provide that such towns and villages incorporated for free school purposes shall have exclusive control of the public free schools within their limits, and to repeal all laws in conflict."

Passed by a two-thirds vote: Yeas 93, nays 1.

Senate bill No. 263, a bill to be entitled "An act to lease to H. P. N. Gammel of Austin, Travis county, Texas, the stereotyped plates of volumes fifty-six (56) to eighty-six (86), inclusive, of the Texas reports, being reports of the decisions of the Supreme Court of Texas."

With House amendments.

Passed by a two-thirds vote: Yeas 98, nays 2.

Senate bill No. 312, entitled "An act to amend article 397, chapter 2, title 18, of the Revised Civil Statutes of the State of Texas, relating to cities and towns, and the election of officers,"

Senate bill No. 216, a bill to be entitled "An act to amend article 745 of the Revised Civil Statutes of the State of Texas, requiring foreign corporations to file their articles of incorporation with the Secretary of State, and imposing certain conditions upon said corporations transacting business in this State, and authorizing the Secretary of State to issue permits to such corporations."

Substitute House bill No. 203, "An act making appropriation for support of the State government for the years beginning March 1, 1897 and ending February 28, 1899, and for other purposes.

Respectfully,

LEE J. ROUNTREE, Chief Clerk.

The above reported House bill No. 203 was read first time and referred to the Committee on Finance.

On motion of Senator Presler, the regular order of business was suspended to take up on its third reading.

Senate bill No. 258, a bill to be entitled "An act to empower the State Board of Education to procure, for use in the public free schools of the State of Texas, a series of uniform text-books; defining the duties of certain officers therein named with reference thereto, making appropriations therefor, defining certain misdemeanors, providing penalties for the viola-

tion of the provisions of this act, and declaring an emergency,"

Bill read third time.

By Senator Wayland:

Amend on page 7 by striking out section 15, and insert the following:

"Sec. 15. Any city or town whose population was 2000 or more at the time the United States census was taken, and which has assumed control of the schools, and which has adopted a uniform system of text-books, shall not be required to comply with the provisions of this act until there is a change in the series adopted by them, and when such change is made they shall adopt such branch of series as is herein designated by this act; provided, that such city or town, through their school board or trustees, may at any time adopt the State uniform series of school books.

By Senator Tillett:

Amend the amendment by striking out "whose population was 2000 or more at the time the United States census was taken," and insert in lieu thereof "whose scholastic population was 500 or more at the time the last scholastic census was taken."

Senator Presler moved the previous question on the bill and pending amendments, which was duly seconded and ordered.

The amendment to the amendment (Tillett's) was then lost by the following vote:

Yeas—11.

Atlee.	Stone.
Boren.	Terrell.
Dibrell.	Tillett.
Linn of Victoria.	Wayland.
Neal.	Yett.
Ross.	

Nays—12.

Bailey.	Kerr.
Bowser.	Morriss.
Burns.	Presler.
Colquitt.	Rogers.
Gough.	Woods.
Harrison.	Yantis.

Yea.	Paired.	Nay.
Turney.	Darwin.	

Excused.

Beall.	Linn of Wharton.
Greer.	Stafford.

Absent.

Goss.	Lewis.
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The amendment was then lost by the following vote (requiring two-thirds):

Yeas—13.

Atlee.	Burns.
Boren.	Dibrell.

Linn of Victoria.	Tillett.
Neal.	Wayland.
Rogers.	Yantis.
Ross.	Yett.
Stone.	

Yea.	Paired.	Nay.
Beall.	Colquitt.	
Greer.	Terrell.	

	Nays—8.
Bailey.	Kerr.
Bowser.	Morriss.
Gough.	Presler.
Harrison.	Woods.

Excused.

Linn of Wharton.	Stafford.
Darwin.	

Absent.

Goss.	Turney.
Lewis.	

The bill was passed by the following vote:

Yeas—15.

Bailey.	Neal.
Boren.	Presler.
Bowser.	Stone.
Colquitt.	Wayland.
Gough.	Woods.
Harrison.	Yantis.
Kerr.	Yett.
Morriss.	

Nays—6.

Yea.	Paired.	Nay.
Darwin.	Beall.	
Rogers.	Greer.	
Terrell.	Turney.	
Atlee.	Linn of Victoria.	
Burns.	Ross.	
Dibrell.	Tillett.	

Excused.

Linn of Wharton.	Stafford.
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Absent.

Goss.	Lewis.
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Senator Presler moved to reconsider the vote by which the bill passed, and to lay that motion on the table.

Tabled.

SPECIAL ORDER AND PENDING BUSINESS.

The Chair laid before the Senate, on second reading,

Substitute Senate bill No. 41, a bill to be entitled "An act making appropriations for the support of the State government for the years beginning March 1, 1897, and ending February 28, 1899, and for other purposes."

Senator Woods entered a motion to reconsider the vote by which the following amendment to the Deaf, Dumb and Blind Asylum was lost:

By Senator Dibrell:

"Amend by inserting in line 22, page 25,, in lieu of \$300, the sum of \$420 for each year."

Senator Rogers entered a motion to reconsider the vote by which the following amendment was lost:

By Senator Colquitt:

"Amend line 3, page 26, by inserting \$225 in each column in lieu of \$180."

Senator Dibrell moved that the Senate concur in House amendments to Senate bill No. 263, a bill to be entitled "An act to lease to H. P. N. Gammel of Austin, Travis county, Texas, the stereotyped plates of volumes 56 to 86, inclusive, of the Texas Reports, being reports of the decisions of the Supreme Court of Texas."

Concurred by the following vote:

Yeas—23.

Atlee.	Neal.
Bailey.	Rogers.
Boren.	Ross.
Bowser.	Stone.
Burns.	Terrell.
Colquitt.	Tillett.
Dibrell.	Turney.
Gough.	Wayland.
Harrison.	Woods.
Kerr.	Yantis.
Linn of Victoria.	Yett.
Morriss.	

Nays—none.

Excused.

Darwin.	Stafford.
Linn of Wharton.	

Absent.

Beall.	Lewis.
Goss.	Presler.
Greer.	

Consideration of the general appropriation bill was resumed, action being on the following amendments and substitute therefor (see urnal of April 27):

By Senator Dibrell:

Amend by inserting between lines 12 and 13, on page 26, the following: "For purchase of farm lands to work convicts, \$100,000."

By Senator Colquitt:

Amend the amendment by inserting \$50,000 instead of \$100,000.

By Senator Bowser:

Substitute for the amendment: Amend by inserting \$50,000 for the purchase of machinery for manufacturing such articles as are not produced in Texas.

The substitute was lost by the following vote:

Yeas—4.

Bailey.	Lewis.
Bowser.	Presler.

Nays—21.

Atlee.	Rogers.
Boren.	Ross.
Burns.	Stone.
Colquitt.	Terrell.
Dibrell.	Tillett.
Gough.	Turney.
Harrison.	Wayland.
Kerr.	Woods.
Linn of Victoria.	Yantis.
Morriss.	Yett.
Neal.	

Excused.

Darwin.	Stafford.
Linn of Wharton.	

Absent.

Beall.	Greer.
Goss.	

The amendment to the amendment was then lost by the following vote:

Yeas—12.

Bailey.	Neal.
Bowser.	Ross.
Colquitt.	Terrell.
Gough.	Woods.
Harrison.	Yantis.
Lewis.	Yett.

Nays—12.

Atlee.	Morriss.
Boren.	Rogers.
Burns.	Stone.
Dibrell.	Tillett.
Kerr.	Turney.
Linn of Victoria.	Wayland.

Excused.

Darwin.	Stafford.
Linn of Wharton.	

Absent.

Beall.	Greer.
Goss.	Presler.

(Lieutenant Governor Jester in the chair.)

The amendment (Dibrell's) was then adopted by the following vote:

Yeas—14.

Atlee.	Linn of Victoria.
Boren.	Morriss.
Burns.	Neal.
Colquitt.	Rogers.
Dibrell.	Tillett.
Gough.	Turney.
Kerr.	Woods.

Nays—10.

Bailey.	Stone.
Bowser.	Terrell.
Harrison.	Wayland.
Lewis.	Yantis.
Ross.	Yett.

Excused.

Darwin.	Stafford.
Linn of Wharton.	

Absent.

Beall.	Greer.
Goss.	Presler.

By Senator Burns:

Amend by adding: "provided, that each convict shall have placed to his credit 25 cents per day for each working day, which sum shall be paid over each quarter to the family of the convict, upon the written order of said convict."

Lost.

By Senator Burns:

Amend by adding the following:

"Provided, that no convict shall be required to labor more than eight hours per day."

Lost.

Senator Rogers called up his amendment, offered on April 27, to-wit:

Agricultural and Mechanical College:

In addition to the above, the interest on \$209,000 of State bonds held by the Agricultural and Mechanical College fund is hereby further appropriated for the support of this institution; provided that the board of directors of the Agricultural and Mechanical College of Texas shall include in their reports the number and salaries of the faculty and employes of the Agricultural and Mechanical College and of the Prairie View Normal School, and the receipts and expenditures, itemized, of each of these institutions in the same manner as the law requires the board of regents to report the salaries and number of the faculties and employes and the receipts and expenditures of the University of Texas.

The amendment was adopted.

Senator Rogers withdrew his amendment to the Texas State Penitentiary Department, offered on April 27.

By Senator Terrell:

Amend by adding after line 24 and before line 25, page 26, the following, "Repairs on main building and other buildings, to be expended in two years, \$5000," and strike out "\$5000," line 24, page 26, and insert "\$3500."

Adopted.

The department of the

PRAIRIE VIEW STATE NORMAL SCHOOL

Was then read.

No amendments.

ADJUTANT GENERAL'S OFFICE.

By Senator Lewis:

Strike out lines 22 and 23, page 27, and insert in lieu thereof, "Payment

of the Volunteer Guard when called into active service under law, and for expenses incurred in holding annual camp of instruction at such time and place as may be designated by the Governor, including transportation of troops to and from encampment, and for all other military expenses, \$10,000 for each year."

Senator Yantis moved that the amendment be laid on the table.

Tabled.

By Senator Harrison:

Page 27, amend by striking out all from line 11 to 25, inclusive.

Senator Burns moved that the amendment be laid on the table.

Tabled.

PUBLIC PRINTING.

By Senator Colquitt:

Amend page 28, line 5, by inserting \$1600 in each column in lieu of \$1500.

Adopted by the following vote:

Yeas—14.

Atlee.	Lewis.
Boren.	Næl.
Bowser.	Rogers.
Burns.	Tillett.
Colquitt.	Turney.
Dibrell.	Wayland.
Goss.	Yett.

Nays—9.

Gough.	Stone.
Harrison.	Terrell.
Kerr.	Woods.
Linn of Victoria.	Yantis.
Ross.	

Excused.

Darwin.	Stafford.
Linn of Wharton.	

Absent.

Bailey.	Morriss.
Beall.	Presler.
Greer.	

By Senator Wayland:

Amend page 28, line 6, by inserting \$20,000 in place of \$5000.

Lost.

By Senator Colquitt:

Amend page 28 by striking out line 6.

Adopted.

By Senator Dibrell:

Amend page 27, after line 32, by inserting the following, "For publishing Court of Civil Appeals reports, \$4000, \$2000."

By Senator Colquitt:

Amend amendment by inserting \$2500 each year.

Lost.

The amendment was then adopted.

By Senator Goss:

Amend by striking out \$2500 in each column, line 30, page 27, and inserting \$4000 in first column and \$2000 in second column.

Adopted.

By Senator Goss:

Amend by striking out \$2000 in first column, line 32, page 27, and inserting \$4000.

Adopted.

PUBLIC BUILDINGS AND GROUNDS.

By Senator Turney:

Substitute for Public Buildings and Grounds: Salary of superintendent, \$1500, \$1500; salary of bookkeeper, \$600, \$600; salary of engineer, \$1200, \$1200; salary of assistant engineer, who shall perform all work required of him by superintendent, \$720, \$720; salaries of four watchmen at \$720 each, \$2880, \$2880; salaries of two firemen at \$600 each, \$1200, \$1200; for traveling expenses of superintendent, \$200, \$200; salaries of four cleaners at \$360 each, \$1440, \$1440; salary of elevator man, \$720, \$720; labor in Capitol grounds, cemetery and for keeping the sewer in repair, \$1000, \$1000; headstones for Confederate veterans buried in the State cemetery, \$300, \$300; stones for Confederate veterans buried in the State cemetery, \$100, \$100; water, fuel, lights and contingencies, \$10,000, \$10,000; oil and waste for engines, dynamos and steam pumps, oil for wainscoting, drawing paper for plans, stationery, and oil for lamps, \$600, \$600; repairs and painting for two years, \$5000; tools, \$100, \$100; for the purchase of one painting of Governor Culbertson, painted by Mrs. Brazelton, \$250; for the purchase of one painting of Governor Hogg, painted by Mr. McArdle, \$250.

Adopted.

The Senate then returned to the consideration of the

LAND DEPARTMENT.

By Senator Turney:

Substitute for the entire department: Salary of Commissioner, \$2500, \$2500; salary of chief clerk, \$1800, \$1800; salary of first assistant chief clerk, \$1500, \$1500; salary of receiving clerk, \$1500, \$1500; salary of Spanish clerk, \$1500, \$1500; salary of legal examiner, \$2000, \$2000; salary of corresponding clerk, \$1200, \$1200; salary of two patent clerks, \$2400, \$2400; salary of two abstract clerks, \$2400, \$2400; salary of two file clerks, \$2400, \$2400; salary of one file room clerk, \$1200, \$1200; salary

of two transcript clerks, \$2160, \$2160; salary of chief draughtsman, \$1600, \$1600; salary of five compiling draughtsmen, \$7000, \$7000; salary of three assistant compiling clerks, \$3600, \$3600; salary of letter register, \$1200, \$1200; salary of index clerk, \$1080, \$1080; salary of night watchman, \$600, \$600; salary of porter and janitor, \$480, \$480; postage, telegraph and contingent expenses, \$1800, \$1800; stationery, books and fixtures, \$1800, \$1800; wood, \$200, \$200; lithographing and miscellany, \$500, \$500; water, and repairs to fixtures, \$300, \$300; repairs to building, \$250, \$250.

School Land Department: Salary of chief clerk, \$1500, \$1500; salary three "lease" clerks, \$3600, \$3600; salary of two corresponding clerks, \$2400, \$2400; salary of one draughtsman, \$1200, \$1200; salary of bookkeeper, \$1400, \$1400; salary of file clerk, \$1200, \$1200; salary of two sale clerks, \$2400, \$2400.

The Commissioner of the General Land Office is authorized to dismiss any clerk or any draughtsman in any particular department or service when not needed, and to use the salary of such dismissed clerks in any department of the Land Office, and if any moneys shall be needed otherwise than is appropriated herein and there shall be an excess on any item in salary or otherwise, so much of such surplus may be used to meet such necessity.

Adopted.

On motion of Senator Morriss, the Senate adjourned to 3 p. m.

AFTERNOON SESSION.

Senate met pursuant to adjournment.

Lieutenant Governor Jester in the chair.

Roll called.

No quorum, the following Senators answering to their names:

Bailey.	Morriss.
Bowser.	Neal.
Burns.	Rogers.
Dibrell.	Ross.
Goss.	Terrell.
Gough.	Wayland.
Harrison.	Woods.
Kerr.	Yantis.
Lewis.	Yett.
Linn of Victoria.	

Absent.

Atlee.	Stone.
Boren.	Tinett.
Colquitt.	Turney.
Presler.	

Excused.

Beall.	Linn of Wharton.
Darwin.	Stafford.
Greer.	

Senator Linn of Victoria moved a call of the Senate for the purpose of securing and maintaining a quorum, which was duly seconded and ordered, the following Senators answering to their names:

Atlee.	Linn of Victoria.
Bailey.	Morriss.
Bowser.	Neal.
Burns.	Rogers.
Dibrell.	Ross.
Goss.	Stafford.
Gough.	Terrell.
Greer.	Wayland.
Harrison.	Woods.
Kerr.	Tillet.
Lewis.	Yett.

Absent.

Boren.	Stone.
Colquitt.	Turney.
Presler.	Yantis.

Excused.

Beall.	Linn of Wharton.
Darwin.	

Senators Yantis, Turney and Colquitt were announced present.

Quorum present.

Senator Lewis called up

Senate bill No. 216, a bill to be entitled "An act to amend article 745, of the Revised Civil Statutes of the State of Texas, requiring foreign corporations to file their articles of incorporation with the Secretary of State, and imposing certain conditions upon said corporations transacting business in this State; and authorizing the Secretary of State to issue permits to such corporations,"

Which had passed the House with amendment, and moved that the Senate concur in said amendment.

Concurred.

On motion of Senator Wayland, the regular order of business was suspended to take up on its second reading,

Senate joint resolution No. 15, to amend article XI of the Constitution of the State of Texas by adding thereto section 12.

Resolution read second time.

By Senator Wayland:

Amend page 2, lines 15 and 16, by striking out the words "on the first Tuesday in August, 1897," and insert the following: "At the next general

election held in this State for State and county officers."

Adopted.

By Senator Tillett:

Amend by striking out all after line 7 which remains on page 1.

Adopted.

By Senator Tillett:

Amend line 8, page 2, by inserting after the word "counties," the following: "Or which have been purchased in good faith by any person, firm or corporation."

Adopted by the following vote:

Yeas—17.

Atlee.	Neal.
Bailey.	Rogers.
Bowser.	Ross.
Dibrell.	Stone.
Goss.	Terrell.
Harrison.	Tillett.
Kerr.	Turney.
Lewis.	Yett.
Morriss.	

Nays—7.

Burns.	Wayland.
Colquitt.	Woods.
Gough.	Yantis.
Linn of Victoria.	

Absent.

Boren.	Presler.
Greer.	Stafford.

Excused.

Beall.	Linn of Wharton.
Darwin.	

Resolution as amended ordered engrossed by the following vote:

Yeas—12.

Atlee.	Ross.
Colquitt.	Stone.
Gough.	Terrell.
Kerr.	Wayland.
Linn of Victoria.	Woods.
Morriss.	Yett.

Nays—11.

Bailey.	Neal.
Bowser.	Rogers.
Burns.	Tillett.
Goss.	Turney.
Harrison.	Yantis.
Lewis.	

Absent.

Boren.	Presler.
Dibrell.	Stafford.
Greer.	

Excused.

Beall.	Linn of Wharton.
Darwin.	

The Chair gave notice of signing, and did sign in the presence of the Senate, after their captions had been read,

Senate bill No. 306, a bill to be entitled "An act to provide a charter for the city of Houston, Harris county, Texas."

Senate bill No. 354, entitled "An act to validate the incorporation and to declare valid the acts of towns and villages heretofore regularly incorporated for free school purposes, having within their limits towns incorporated for municipal purposes, which latter had ceased to exercise their functions as such, or which had not assumed control of the public schools within their limits, and to provide that such towns and villages incorporated for free school purposes shall have exclusive control of the public free schools within their limits, and to repeal all laws in conflict,"

House bill No. 309, a bill to be entitled "An act to provide for the purchase of public lands in quantities of twenty acres or less, situated on islands, by actual settlers, who have settled on and placed valuable improvements thereon in good faith, or to their vendees, prior to the 1st day of January, 1895, and prescribing the price, terms, manner and time of such purchase."

Senate bill No. 312, a bill to be entitled "An act to amend article 397 of chapter 2, title 18, of the Revised Civil Statutes of the State of Texas, relating to cities and towns and the election of its officers."

And,

House concurrent resolution No. 13, empowering the Superintendent of Public Buildings and Grounds to lease the temporary capitol.

COMMITTEE REPORTS.

Committee Room,

Austin, Texas, April 30, 1897.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Labor, to whom was referred

Senate bill No. 369, a bill to be entitled "An act to regulate the working of convicts; to prevent convicts from being hired to individuals and corporations, and to prevent their competition with free labor; to inhibit the State from competing with its citizens in the manufacture and sale of articles made in whole or in part by convicts; to utilize the labor of said convicts upon farms owned or leased by the State, and to utilize convict labor in improving public highways."

Have had the same under consideration, and I am instructed to report

same back to the Senate with the recommendation that it do pass.

NEAL, Chairman.

Committee Room,

Austin, Texas, April 30, 1897.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Constitutional Amendments, to whom was referred Senate joint resolution No. 14, to amend section 3 of article 5, of the Constitution of the State of Texas, so as to empower and require the Supreme Court of the State of Texas to pass upon all laws and amendments to laws passed by any session of the Legislature, and determine whether or not such laws or amendments to laws are in conflict with the Constitution of the State of Texas, before such laws become effective.

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

ATLEE, Chairman.

Committee Room,

Austin, Texas, April 30, 1897.

Hon. Geo. T. Jester, President of the Senate.

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 354, entitled "An act to validate the incorporation, and to declare valid the acts of towns and villages heretofore regularly incorporated for free school purposes, having within their limits towns incorporated for municipal purposes, which latter had ceased to exercise their functions as such, or which had not assumed control of the public schools within their limits, and to provide that such towns and villages incorporated for free school purposes shall have exclusive control of the public free schools within their limits, and to repeal all laws in conflict."

And find the same correctly enrolled, and I have this day, at 5 p. m., presented the same to the Governor for his approval.

ROGERS, Chairman.

Committee Room,

Austin, Texas, April 30, 1897.

Hon. George T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 306, a bill to be entitled "An act to provide a charter for the city of Houston."

And find the same correctly enrolled,

and I have this day, at 5 p. m., presented the same to the Governor for his approval.

ROGERS, Chairman.

On motion of Senator Dibrell, the call of the Senate was suspended.

PENDING BUSINESS.

The Chair laid before the Senate substitute Senate bill No. 41 (the general appropriation bill), on second reading.

Action being on the following pending amendments:

By Senator Rogers:

Deaf and Dumb Asylum:

Provided, that the interest on all securities held by the Deaf and Dumb Asylum fund is hereby appropriated in part payment of the above appropriations to be paid out of the general revenue.

Adopted.

By Senator Rogers:

State Orphan Asylum:

All of the available fund belonging to the asylum for the support and maintenance; in addition thereto from the general revenue the following.

Adopted.

By Senator Rogers:

Lunatic Asylum:

Provided, that the interest on all securities held by the lunatic asylum fund is hereby appropriated in part payment of the appropriations for the three lunatic asylums, the remainder of the appropriations to be paid out of the general revenue. All moneys now in or which may hereafter be paid into the treasury for the board and treatment of non-indigent patients, and from sales of personal property of the lunatic asylums of Austin, Terrell and San Antonio shall be paid over to the State Treasurer monthly and credited by him to the general revenue account.

Adopted.

By Senator Morriss:

Amend line 23, page 12, as amended, by adding: "Nor shall the Comptroller approve any account of any sheriff, clerk or attorney for trials of cases where more than one case is made out of the same criminal transaction, the State can only pay for one conviction where more than one will carry a concurrent sentence."

Pending action,

By Senator Bowser:

Department of State:

Strike out in line 16, page 2, \$1600 in each column, and insert in lieu thereof \$1800 in each column.

Adopted.

By Senator Colquitt:

Southwestern Insane Asylum:

Amend by striking out line 13, on page 17.

The above was withdrawn, and the following offered in its stead:

Amend line 13, page 17, to read \$15 in first column, and strike out \$60 in second column.

Adopted.

By Senator Bailey:

Amend page 7, line 3, by substituting in each column for the figures \$360, \$420.

Adopted.

By Senator Bailey:

Amend page 9, line 24, by striking out \$1500 in each column and insert \$1790.

Adopted.

By Senator Terrell: Substitute for the Morriss amendment:

Amend line 23, page 12, as amended, by adding: "Nor shall such attorneys, clerks or sheriffs be entitled to fees and costs in more than one case where the defendant is convicted in two or more cases, unless the judgment in the second and subsequent convictions shall be that the punishment shall begin when the judgment and sentence in the preceding conviction have ceased to operate; nor shall the district judge approve accounts for such fees and costs."

Adopted.

By Senator Harrison:

Amend by inserting, on page 24, between lines 18 and 19, the following, "medicine, \$400 each year."

Adopted.

(Senator Turney in the chair.)

Senator Colquitt entered a motion to reconsider the vote by which the substitute for the Land Office department offered by Senator Turney was adopted.

By Senator Colquitt:

Amend line 30, page 2, by inserting \$1200 in each column.

Lost.

Senator Wayland entered a motion to reconsider the vote by which the amendment offered by Senator Bailey, striking out \$1500 and inserting \$1790 on page 9, line 24, of the bill, was adopted.

Senator Greer called up the following amendment, which was on the table subject to call.

By Senator Greer:

Amendment to the Treasury Department: Amend lines 8 and 9, page 4, by striking out "1200 where it occurs,

and inserting "1400," and by striking out "2400" in the two places where it occurs and inserting in lieu thereof in each place "2800."

(Lieutenant Governor Jester in the chair.)

The amendment was lost by the following vote:

Yeas—11.

Burns.	Stafford.
Goss.	Tillett.
Greer.	Turney.
Lewis.	Wayland.
Linn of Victoria.	Yett.
Morriss.	

Nays—13.

Atlee.	Rogers.
Bowser.	Ross.
Colquitt.	Stone.
Gough.	Terrell.
Harrison.	Woods.
Kerr.	Yantis.
Neal.	

Absent.

Bailey.	Dibrell.
Boren.	Presler.

Excused.

Beall.	Linn of Wharton.
Darwin.	

By Senator Goss:

Amend by striking out "1080" in each column in line 10, page 4, and inserting "1200."

Lost by the following vote:

Yeas—10.

Burns.	Morriss.
Goss.	Stafford.
Greer.	Tillett.
Lewis.	Turney.
Linn of Victoria.	Wayland.

Nays—12.

Atlee.	Ross.
Bowser.	Stone.
Colquitt.	Terrell.
Gough.	Woods.
Harrison.	Yantis.
Kerr.	Yett.

Absent.

Bailey.	Neal.
Boren.	Presler.
Dibrell.	Rogers.

Excused.

Beall.	Linn of Wharton.
Darwin.	

Senator Turney called up the motion (Colquitt's) to reconsider the vote by which the land department was substituted, and moved to lay that motion on the table.

Tabled by the following vote:

Yeas—17.

Atlee.	Goss.
Burns.	Gough.

Greer.
Harrison.
Kerr.
Lewis.
Linn of Victoria.
Morris.
Neal.

Ross.
Stafford.
Terrell.
Tillett.
Turney.
Yett.

Nays—6.

Bowser.
Colquitt.
Stone.

Wayland.
Woods.
Yantis.

Absent.

Bailey.
Boren.
Dibrell.

Presler.
Rogers.

Excused.

Beall.
Darwin.

Linn of Wharton.

By Senator Goss:

Amend by inserting between lines 5 and 6, on page 9, the following: "Support of the Summer Normal Schools, each year, \$10,000."

Senator Yantis moved to lay the amendment on the table.

Lost by the following vote:

Yeas—10.

Atlee.
Colquitt.
Gough.
Harrison.
Morris.

Ross.
Stone.
Terrell.
Woods.
Yantis.

Nays—12.

Bowser.
Burns.
Goss.
Greer.
Kerr.
Lewis.

Linn of Victoria.
Stafford.
Tillett.
Turney.
Wayland.
Yett.

Absent.

Bailey.
Boren.
Dibrell.

Neal.
Presler.
Rogers.

Excused.

Beall.
Darwin.

Linn of Wharton.

By Senator Linn of Victoria:

Amend amendment by inserting \$15,000 instead of \$10,000, where the latter sum occurs.

Lost by the following vote:

Yeas—7.

Burns.
Goss.
Linn of Victoria.
Rogers.

Tillett.
Wayland.
Yett.

Nays—15

Atlee.
Bowser.
Gough.

Greer.
Harrison.
Kerr.

Lewis.
Morris.
Ross.
Stone.

Terrell.
Turney.
Woods.
Yantis.

Absent.

Bailey.
Boren.
Colquitt.
Dibrell.

Neal.
Presler.
Stafford.

Excused.

Beall.
Darwin.

Linn of Wharton.

The amendment was then lost by the following vote:

Yeas—9.

Burns.
Goss.
Kerr.
Linn of Victoria.
Rogers.

Tillett.
Turney.
Wayland.
Yett.

Nays—12.

Atlee.
Colquitt.
Gough.
Greer.
Harrison.
Lewis.

Morris.
Ross.
Stone.
Terrell.
Woods.
Yantis.

Absent.

Bailey.
Boren.
Bowser.
Dibrell.

Neal.
Presler.
Stafford.

Excused.

Beall.
Darwin.

Linn of Wharton.

Senator Yantis withdrew his amendment to the Department of Education (see Journal, page 715).

Senator Ross moved to reconsider the vote by which the following amendment was lost:

By Senator Greer:

Amendment to the Treasury Department: Amend lines 8 and 9, page 4, by striking out "1200" where it occurs and inserting "1400," and by striking out "2400" in the two places where it occurs and inserting in lieu thereof in each place "2800."

Reconsidered.

The amendment was then adopted by the following vote:

Yeas—15.

Atlee.
Bailey.
Burns.
Goss.
Greer.
Harrison.
Lewis.
Linn of Victoria.

Morris.
Rogers.
Ross.
Tillett.
Turney.
Wayland.
Yett.

Nays—8.

Bowser. Stone.
Colquitt. Terrell.
Gough. Woods.
Kerr. Yantis.

Absent.

Boren. Presler.
Dibrell. Stafford.
Neal.

Excused.

Beall. Linn of Wharton.
Darwin.

Senator Yett moved to reconsider the vote by which the following amendment was lost:

By Senator Goss:

Amend by striking out "1080" in each column, in line 10, page 4, and inserting "1200."

Senator Yantis moved to lay the motion on the table.

Lost by the following vote:

Yeas—10.

Bowser. Rogers.
Colquitt. Stone.
Gough. Terrell.
Harrison. Woods.
Kerr. Yantis.

Nays—12.

Bailey. Morriss.
Burns. Ross.
Goss. Tillett.
Greer. Turney.
Lewis. Wayland.
Linn of Victoria. Yett.

Absent.

Atlee. Neal.
Boren. Presler.
Dibrell. Stafford.

Excused.

Beall. Linn of Wharton.
Darwin.

The motion to reconsider was then lost by the following vote:

Yeas—11.

Bailey. Morriss.
Burns. Tillett.
Goss. Turney.
Greer. Wayland.
Lewis. Yett.
Linn of Victoria.

Nays—12.

Atlee. Rogers.
Bowser. Ross.
Colquitt. Stone.
Gough. Terrell.
Harrison. Woods.
Kerr. Yantis.

Absent.

Boren. Presler.
Dibrell. Stafford.
Neal.

Excused.

Beall. Linn of Wharton.
Darwin.

Senator Harrison called up his motion to reconsider the vote by which the Senate refused to raise the salaries of the teachers in the State Reformatory from \$35 to \$50 per month.

The motion to reconsider was lost.

By Senator Lewis:

Amend page 5 by adding after line 5 the following: "To refund to Tracy & Russell taxes erroneously paid to the State on lands purchased from the State, situated in Edwards county, Texas, said claim to be approved by the Comptroller and Attorney-General, 1898, \$258.49."

Adopted.

Senator Colquitt called up Senator Wood's motion to reconsider the vote by which the following amendment was lost:

By Senator Dibrell:

Amend by inserting in line 22, page 25, in lieu of \$300, the sum of \$420 for each year,

And moved to lay that motion on the table.

Lost by the following vote:

Yeas—7.

Colquitt. Rogers.
Gough. Terrell.
Kerr. Yantis.
Lewis.

Nays—15.

Atlee. Morriss.
Bailey. Presler.
Bowser. Stone.
Burns. Tillett.
Goss. Turney.
Greer. Woods.
Harrison. Yett.
Linn of Victoria.

Absent.

Boren. Ross.
Dibrell. Stafford.
Neal. Wayland.

Excused.

Beall. Linn of Wharton.
Darwin.

The motion to reconsider was then lost.

Senator Rogers called up his motion to reconsider the vote by which the Senate refused to raise the salary of

the monitor at the Deaf, Dumb and Blind Asylum for Colored Youths.

The motion to reconsider was lost.

The bill as amended was ordered engrossed.

Senator Atlee moved to reconsider the vote by which the bill was ordered engrossed, and to lay that motion on the table.

Tabled.

On motion of Senator Gough, the Senate adjourned to 10 a. m. to-morrow.

EIGHTY-FIFTH DAY.

Senate Chamber,
Austin, Tex., Saturday, May 1.

Senate met pursuant to adjournment.

Lieutenant-Governor Jester in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

Atlee.	Neal.
Bailey.	Presler.
Bowser.	Rogers.
Burns.	Ross.
Colquitt.	Stafford.
Goss.	Stone.
Gough.	Tillett.
Greer.	Turney.
Harrison.	Wayland.
Kerr.	Woods.
Lewis.	Yantis.
Linn of Victoria.	Yett.
Morriss.	

Absent.

Beall.	Dibrell.
Boren.	Terrell.

Excused.

Darwin. Linn of Wharton.

Prayer by the Rev. G. C. Rector of Manor, as follows:

Our Father, who art in Heaven, we are under renewed obligations to Thee. Every passing night, with its quiet peace and invigorating rest, and every opening day, with its renewed privileges of service, bring us to a recognition of the favor and goodness of our God. And as we begin this day, may it be with hastening step and eager spirit; eager to fulfill the glorious purpose of our life here and to accomplish the end for which we were created. And as we labor, may the radiant presence of the Holy Spirit illuminate the paths of truth and strengthen our resolution, that we may follow with undeviating step those paths that lead

to the highest good of man and the glory of God. May Thy servants here have wisdom, that the people may be saved from the confusions of erroneous enactments, and may enjoy those wholesome laws that bring peace and foster prosperity. For the sake of Jesus. Amen.

Pending the reading of the Journal of yesterday,

On motion of Senator Greer, the same was dispensed with.

On motion of Senator Goss,

Senator Terrell was excused for to-day, on account of important business.

COMMITTEE REPORTS.

Committee Room,

Austin, Texas, May 1, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Public Health, to whom was referred

Senate bill No. 370, a bill to be entitled "An act to amend articles 3763, 3766, 3767, 3768 and 3770, of title 81, of the Revised Civil Statutes of Texas, relating to the practice of pharmacy."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

MORRISS, Chairman.

Committee Room,

Austin, Texas, May 1, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Finance, to whom was referred

Substitute House bill No. 203, a bill to be entitled "An act making appropriations for the support of the State government for the years beginning March 1, 1897, and ending February 28, 1899, and for other purposes,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the following amendment:

Amend by striking out all after the enacting clause and inserting in lieu thereof all of substitute Senate bill No. 41, except the enacting clause.

STONE, Chairman.

Committee Room,

Austin, Texas, April 30, 1897.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 312, a bill to be entitled "An act to amend article 397, of chapter 2, title 18, of the Revised Civil